

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION
CONSULTANT INSTRUCTION**

SUBJECT: AVAILABILITY OF PERSONNEL PROPOSED AS KEY STAFF

DATE: August 24, 2022

CODE: CI 10-05 Rev. 1

REPLACES: CI 10-05 dated May 7, 2010

APPROVED:


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OFFICE OF CONTRACT MANAGEMENT

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The evaluation of proposed Key Staff is integral to the selection process.

Requirements for Key Staff positions are identified in the Detailed Advertisement. After shortlist, firms propose Key Staff in the NYSDOT 255 Submission. The contract award is based (in part) on the evaluation of Key Staff, therefore, the designated firm must ensure that proposed Key Staff will be available to work on the contract.

Within one business day of notification of the contract award, the Firm must confirm with the Consultant Job Manager that all Key Staff remain available. If the firm is unable to confirm the availability of any proposed Key Staff, the Firm must include an explanation as to why the individual(s) proposed as Key Staff is (are) unavailable. If the explanation is not satisfactory to the Department, the proposed change will be reflected in the firm's performance evaluation rating and the firm may be subject to a responsibility review.

If proposed key staff are unavailable and the Department deems the Firm's explanation satisfactory, the firm must submit to the Consultant Job Manager new Key Staff on NYSDOT Form 255, Section 8, for Department approval. Less extenuating circumstances, new Key Staff must be submitted for Department approval within five (5) business days of notification of the contract award. The qualifications of the replacement Key Staff must be equivalent or exceed those qualifications of the individual Key Staff evaluated prior to award. Review and approval of replacement Key Staff is at the discretion of the Department.

If the firm cannot provide replacement Key Staff to the satisfaction of the Department, it will be reflected in the firm's performance evaluation rating, and the firm may be subject to a responsibility review.